

Personnel Policy



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Huntington Public Library Board of Trustees
Huntington, Vermont

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Huntington Public Library

Personnel Policies and Procedures

Section I. Policies

1. Introduction and Philosophy

These Personnel Policies and Procedures are for the mutual benefit of the employees and the Huntington Public Library (also cited herein as the “HPL”). Our goal is to ensure that all people working for HPL have a safe work environment, a clear position description, and have a method to use to resolve work-related problems that may arise.

Employees should have working conditions that contribute to job satisfaction and high morale. Compensation, including salary and benefits, should be competitive and generally be comparable with remuneration received by librarians in Vermont having comparable responsibilities and duties.

Employees of the HPL are town employees. Currently, HPL does not offer certain benefits, such as health insurance, to part-time employees. The Library Trustees believe the Selectboard should consider changing this policy.

These policies shall apply to all Library employees.

2. Title and Authority

The following policies, procedures and description of employee responsibilities shall be known and cited as the **Reference Library Law**. It has been adopted by the Board of Trustees pursuant to **Reference Library Law**. Reference: page 6, Law of Public Libraries #2, Personnel.

3. Applicability

This Personnel Policy applies to all regular, weekly employees of the HPL. Except as stated herein, elected officials and their statutory assistants, volunteers and people who provide HPL services on a contractual basis are not covered by this policy.

4. Administration

This Policy shall be administered by the Board of Trustees and its agent(s). The Board reserves the right to amend or delete any provision of this Policy. The adoption of these policies by HPL supersedes any and all previous personnel policies or practices utilized by HPL of Huntington to date. These policies cannot be amended verbally, nor is any employee or officer of HPL authorized to alter these policies or practices except as otherwise provided for herein.

For the purpose of these Policies, HPL operates on a fiscal year basis, beginning July 1 of one calendar year and ending June 30 of the next calendar year. Any reference to “year” means HPL’s fiscal year.

Responsibilities:

Employer: It is the responsibility of the Board to advise each employee of this policy and to include a copy of this policy in each new employee's orientation.

Employee: It is the responsibility of each employee to be aware of and to abide by this policy

5. Recruitment and Hiring

5.1. Categories of Employees

At the present time, the Huntington Public Library has no full-time positions. As a result, there are two categories of employees of HPL:

(1) **Probationary:** Any new employee hired as a Part-time or Full-time Employee shall be considered a Probationary Employee for his/her first ninety (90) days of employment.

(2) **Regular Part-time:** Employees who have completed their period of probationary employment, and who are employed on the basis that they will be working less than forty (40) hours per week shall be considered Regular Part-time Employees.

5.2 Equal Employment Opportunities

It is the policy of HPL to provide Equal Employment Opportunity to all employees and applicants for employment without regard to race, color, religion, sex, marital status, national origin, ancestry, place of birth, age, sexual orientation, disability, HIV status or veteran status, and to base all employment decisions so as to further this principle of Equal Employment Opportunity. To this end, HPL of Huntington will not discriminate against any employee or applicant for employment because of race, color, religion, sex, marital status, national origin, ancestry, place of birth, age, sexual orientation, disability, HIV status or veteran status and will ensure that applicants are employed and employees are treated during their employment without regard to these characteristics.

HPL affirms that the above policy reflects the attitude of HPL toward the principle of Equal Employment Opportunity, and that it is the obligation of each officer, supervisor and employee to conduct himself/herself in conformity with these principles at all times. All employment activities including, but not limited to: hiring, promotion, demotion, transfer, recruitment, advertising, discipline, layoff, termination, compensation and training shall be conducted without regard to race, color, religion, sex, marital status, national origin, ancestry, place of birth, age, sexual orientation, disability, HIV status or veteran status, subject to bona fide occupational requirements as provided by law and the employment laws relating to qualified handicapped individuals.

Nothing in HPL's equal employment opportunity policy is intended to prevent HPL from reasonably regulating nepotism for reasons of supervision, safety, security, or morale. Generally, an employee's relatives will be eligible for employment with HPL as long as no conflicts in supervision, safety, security, morale or potential conflicts of interest exist.

5.3 Employment Records

A complete record of an employee's employment with HPL shall be maintained by the Trustees and stored at the library. Files shall contain all pertinent information relating to employment with HPL. An employee's file is confidential and may be reviewed only by the employee, a direct supervisor, the Board, or by order of a Court or a State or Federal agency entitled by law to such review or in accordance with the procedures set forth in current, applicable state statutes such as 12 V.S.A. §1691(a).

5.4. References

The Board may provide employment information on former employees, only verifying dates of employment. Requests for additional information shall be directed to the Board in writing.

5.5 False Statements

HPL expects and requires applicants and employees to provide complete and accurate information regarding their previous employment, schooling, and qualifications, and other information necessary to fully evaluate their current or past employment with HPL. Providing false or misleading statements shall constitute grounds for non-hiring or for immediate dismissal.

5.6 Proof of Citizenship

All Town of Huntington Public Library employees must provide the Trustees with proof of citizenship or legal immigration status in conformance with Federal law. Failure to provide such proof shall result in non-hiring or immediate dismissal.

5.7 Vacant Position

A notice of a HPL position vacancy will be posted in the Town Clerk's Office and the Library for a period of five (5) business days prior to advertising in the local media. No position shall be established or filled without prior approval by the Board of the job description, rate of compensation, and benefits offered.

5.8 Selection

No offers of appointment, employment, compensation or benefits shall be made without the express written authorization of the HPL Board of Trustees.

5.9 Probationary Period

The Trustees will acknowledge the completion of the 90-day probationary period in writing and will submit a copy of the letter to the employee.

6. General Employment or Working Conditions

No employees shall use their position to secure special privileges or exemptions for themselves or others.

6.1 Hours of Service

Hours per week will be determined annually.

6.2 Attendance

No employee of HPL shall be absent from work without permission. If an employee is absent due to illness or any other cause, it is his/her responsibility to communicate the absence and attempt to arrange for a substitute as soon as is reasonably practicable.

Any employee who fails to appear at work and perform his/her normal duties for three (3) consecutive days without reporting the reason to the Trustees (absent extraordinary circumstances relating to the health of the employee – in which case the reason for the absence must be reported as soon as is practicable) shall be considered to have quit his/her position.

6.3 Closing the Library

For absences due to vacation, sickness, and/or family reasons employees shall make every effort to secure a substitute to staff the Library during open hours. When no substitutes are available, said employee will post a sign on the door informing the public of Library closure; the chair of the Trustees shall be informed of this action prior to its occurrence.

6.4 Information Disclosure:

Reference is made here to the Patron Confidentiality Policy.

6.5 Political Activity:

The pursuit of political activities (including fund raising) while working for HPL is strictly prohibited. Likewise, HPL employees should not campaign on behalf of or against any candidates for Library Trustee.

6.6 Workplace Health and Safety

6.6.1 Vermont Occupational Safety Hazards Act (VOSHA): The Library Director shall be responsible for enforcing safety rules as required by VOSHA and/or adopted by HPL. In accordance with VOSHA regulations, any defective or unsafe equipment or unsafe practice shall immediately be brought to the attention of the Director, who will document the report in writing. Use of such unsafe equipment or practice shall cease immediately.

6.6.2 Employee Safety: All Library employees shall observe safe work practices, follow all prescribed work practices, and report to the Board or the Library Director all known conditions which pose a direct threat to the safety of the employee, the public or co-workers. Refer to

the following guidelines in the event that any incident(s), as defined below, should occur:

(a) **Injury**: If an incident involves injury, a State of Vermont *First Report of Injury* form must be completed and submitted to the Town Administrator's office within 24 hours of the accident. If the employee has been hospitalized, or is unable to complete the form, it should be completed by the Library Director or a trustee.

(b) **Incident Report**: A Town of Huntington *Incident Report* must be completed by the Director to report any incident which is not consistent with routine operations and which results in loss or damage to property, interruption of earnings, or injury to persons. The completed report must be submitted to the Town Administrator's office the same day the incident occurs, the next morning if the incident occurs at night, or the first working day following a weekend or holiday. This report may be used to initiate an insurance claim and notifies the Town Administrator when an incident is of a serious nature. If there is any doubt as to the requirement of an incident report, the Town Administrator should be contacted.

6.7 Substance Free Workplace

The Huntington Public Library is a substance-free workplace.

6.8 Harassment

A hostile atmosphere created by conduct including, but not limited to, ethnic, racial, sexual, or religious remarks, animosity, unwelcome sexual advances, requests for sexual favors, or other similar conduct is not permitted.

Harassment based on race, color, religion, national origin, sex, sexual orientation, ancestry, place of birth, age, physical or mental condition, HIV status or veteran status will not be tolerated and employees who engage in such conduct may be subject to discipline up to and including discharge. Harassment arises from the dynamics of the workplace and can be based on nuances, subtle perceptions, and implicit communications. Conduct that may rise to the level of harassment includes verbal remarks (epithets, derogatory statements, slurs, jokes), physical contact (assaults, physical interference with movement or work, touching), visual displays (displaying of printed or photographic materials, objects), and other actions that are demeaning or hostile.

6.9 Sexual Harassment

It is illegal under State and Federal law, for any employee, male or female, to sexually harass another employee. The Library is committed to providing a workplace free from this unlawful conduct. It is a violation of this policy for an employee to engage in sexual harassment.

Details for Sexual Harassment Policy and Guidelines are located in Section III: Federal & State Laws, Regulations & Statutes.

6.10 No Smoking

Smoking and an environment with smoke may be hazardous to the health of the employee. Also, the State of Vermont provides in 18 VSA §§1421-1423 as amended, that employers must provide a smoke-free work place. In addition, 18 VSA §§1742 and 1743 prohibit smoking in any form in the common areas and all enclosed indoor places of publicly-owned buildings and offices

7. General Information/Obligations

7.1 General Responsibilities

The HPL provides certain services to the residents of Huntington and has a responsibility to perform these services in the most effective and efficient manner possible. As a representative of the Library, it is expected that all employees will be courteous and helpful in their contact with other Town employees, residents of the community, and the general public.

The following is a partial list of employee responsibilities:

- (1) It is expected that employees will be prompt and regular in attendance, use working hours for work, and leave only after regular working hours.
- (2) Employees are expected to be cooperative, to treat each other with mutual respect, and to maintain a positive work attitude at all times.
- (3) Possessing, or being under the influence of, alcoholic beverages or illegal drugs shall not be permitted during working hours.
- (4) Employees shall act at all times with the understanding that a safe way to do a job is the most efficient and only acceptable way. Safety shall be included as part of each employee's performance evaluation.
- (5) All employees shall be as neat in appearance as their job permits, and shall keep their place of work as neat as possible.
- (6) All employees shall avail themselves of those educational opportunities offered by the State Department of Libraries to enhance their understanding, enjoyment, and effectiveness in their position of employment.
- (7) All employees shall perform their duties in a careful, diligent, and competent manner.

7.2. Computer, E-Mail, Internet & Voice Mail System Use

All computer use by employees is covered under the Huntington Public Library Code of Ethics of the American Library Association, adopted by the Board of Trustees on June 28, 2013.

7.3 Travel Reimbursement Policy

- (1) Mileage reimbursed for Huntington Public Library travel will be paid at the current rate set by the IRS.
- (2) Employees must keep an accurate mileage record, noting starting mileage and ending mileage for destination. Once mileage to a given destination has been established, the mileage for reimbursement becomes a constant.
- (3) Employees should submit the Travel Reimbursement Voucher in a timely manner.

7.4 Resignation

Should an employee voluntarily decide to leave, it is requested that he or she give at least three (3) weeks notice.

8. Personnel Actions

8.1 Employee Evaluations

Job Performance Evaluations of employees of HPL of Huntington shall be conducted annually. After a conference is completed with the employee, a written evaluation will be provided to the employee in a timely manner. A copy of the evaluation will also be kept on file in the Library.

8.2 Discipline and Discharge

All employees are considered to be "at-will" which means that the employment relationship can be terminated by either the employer or the employee at any time. Disciplinary action and/or termination of employment by the employer may be based upon the following: the employee's inability or unwillingness to perform the duties of the position satisfactorily, the employee's habits and dependability do not merit retention, the employee disregards or violates the Library's rules ethics policy or the procedures of HPL.

An employee terminated during the probationary period will have no right to appeal such termination.

The Trustees also retain the right to unilaterally eliminate a position and thus terminate employment or reduce the work hours for some of all employees due to economic conditions, shortage of work, organizational efficiency, change in departmental function, reorganization or reclassification of positions resulting in the elimination of a position or for other related reasons. In such a case, this termination process does not apply.

8.3 Termination

Payments due the terminating employee shall be in accordance with current policy, state statutes and benefit plan provisions.

8.4 Layoff

Any Library employee may be placed on layoff whenever it is necessary to reduce the number of employees because of change in the function or organization, financial restrictions, changes in work demands, elimination of job categories, or related reasons. Employees so affected shall be notified not less than ten (10) working days in advance of the action to be taken.

9. Right to Appeal

9.1 Policy

Employees who are terminated or disciplined have the right to appeal to the Trustees in writing.

9.2 Procedure

Appeals from placement on suspension with or without pay, demotion, and/or dismissal may be made by an employee by applying in writing within five (5) working days of such placement on, suspension without pay, demotion, or dismissal to the Board.

If a hearing is requested, the Board shall hold a hearing as soon as reasonably possible after receipt of the notice of appeal, but in no event longer than three (3) weeks after receipt of the employee's written request for a hearing.

The employee may request the hearing to be a closed hearing. At the hearing the employee, at his/her discretion, may be present, present testimony, be represented by counsel, examine the evidence against him or her, and/or cross-examine witnesses.

The Board shall make its decision and inform the appellant within seven (7) days of the conclusion of the hearing.

If the action of the Board is in favor of the employee, he or she shall be restored to his or her original position with full pay for the period since dismissal or suspension. The Board can also reduce the disciplinary action to suspension without pay or reprimand.

The decision of the Board shall be final and binding on the employee.

10. Grievances/Conflict Resolution

10.1. Policy

It is the intent of Huntington Public Library to resolve complaints and grievances informally. The Board as well as employees are encouraged to make every effort to resolve problems as they arise. However, it is recognized that there may be grievances that will be resolved only after a formal appeal and review. When this is the case, the procedure listed hereunder will be followed.

10.2. Procedure

An employee who believes that inequitable treatment has been received because of some

conditions of employment, may personally or through representatives, appeal for relief from that condition. The employee is expected to initially discuss any grievances with the Library Director. If the employee feels that the grievance has not been satisfactorily addressed by the Director, he or she may present it to the Board for consideration. The decision of the Board shall be final.

11. Benefits

Full-time employees are entitled to receive benefits as described. Part-time employees are generally not entitled to receive benefits except as specifically stated within this policy.

11.1 Insurance

The full-time benefit package includes Medical, Dental, Life, Accidental Death & Disability (AD & D), Short-term & Long-term Disability and Vision coverage.

Application to enroll in the plans must be made through the Town Administrator's office.

11.2 Leaves & Paid Time Off

The following types of leave and time-off are officially recognized:

Holiday, vacation, sick, parental, family, emergency, civic and jury duty, military and leave without pay.

Extended leaves may be granted by the Board.

11.2.1 Records of Leave/Time Off

The Library Director shall maintain the official record of each employee's leave status, to be reviewed by the board twice a year.

11.2.2 Holidays

The following are the official holidays observed by Huntington Public Library:

1. New Year's Day, January 1
2. Town Meeting Day, (first Tuesday of March) - half day closure
3. Memorial Day, May 30
4. Independence Day, July 4
5. Labor Day, the 1st Monday of September
6. Thanksgiving Day, the 4th Thursday of November
7. Christmas Day, December 25

The Library Director has the discretion to close the Library for Martin Luther King Jr. Day, Columbus Day, and Veteran's Day. Optional days of closure can include Christmas Eve, New Year's Eve and Easter Sunday with approval of the Trustees at a regular meeting.

Employees will receive holiday leave pay at the employee's regular rate of pay.

11.2.3 Vacation

11.2.3.a Accrual

Part-time employees are prorated, based on average weekly hours worked annually (full-time equivalency).

Regular Part-Time Employees – Vacation Time and Sick Leave Vacation Time.

<u>Length of Employment</u>	<u>Annual Accrual</u>
less than 1 year*	2 hours per pay period to a maximum of 1 week (40 hours)
1 - 4 years completed	2 weeks (80 hours)
5 - 9 years completed	3 weeks (120 hours)
10 or more years completed	4 weeks (160 hours)

*Probationary employees do not receive any vacation benefit. If a probationary employee becomes a regular employee, then vacation time is accrued retroactive to the date-of-hire.

Library employees are expected to work cooperatively with their supervisor in scheduling their vacation leave by giving as much advance notice as possible of their vacation plans.

a. Each will accumulate prorated vacation hours as follows:

0-5 years at 3.8 % of hours worked (10 hours equals 0.38 vacation hours).

5-10 years at 5.77% of hours worked

10+ years at 7.70% of hours worked

b. Prorated hours shall accumulate in 6-month increments.

c. Each regular part-time employee may carry a maximum of two weeks of unused vacation into a new fiscal year.

11.2.3.b Bonus Vacation for Long-Term Employees

Long-term regular employees may petition the Board of Trustees for a one-week paid bonus vacation time pro-rated at the completion of 15 years of service.

11.2.3.c Scheduling

Time-off for vacation is approved and scheduled at the discretion of the employee's supervisor. Library staff will coordinate their vacation planning to keep the Library open as much as possible for its regularly scheduled hours.

11.2.3.d Use of Vacation leave in Conjunction with Holidays

The holiday leave benefit may be combined with an employee's scheduled vacation leave period in accordance with the Holiday leave policy. For paid holidays that occur during an employee's scheduled vacation, the employee's vacation leave is not charged for a paid holiday.

11.2.3.e Carryover

Earned vacation leave should be used within 1 year of accrual. Employees with unused vacation leave at the end of the day before the anniversary of their date-of-hire may carry over into their next year a maximum of two weeks of unused vacation leave. Employees with more than two weeks of unused vacation leave to carry over into their next year will, by default, lose their unused vacation time in excess of two weeks. Employees desiring to carry over more than 2 weeks vacation leave must appeal to the Trustees for an exception 30 days prior to the end of the accrual year. Appeals shall be submitted to the Trustees either in person or in writing.

11.2.3.f Date-of-Hire Anniversary Report

Each employee shall meet with his/her supervisor annually at the beginning of the calendar year for the purpose of reviewing leave benefits. The results of this meeting shall be reported to the Trustees, either in writing or in person, by the supervisor at the next scheduled Board of Trustees meeting.

11.2.3.g Vacation Leave versus Sick Leave

Employees may opt to use vacation leave rather than sick leave if they become ill and their sick leave days have been fully utilized. Illness or injury of a nature to require suspension of normal activity, medical attention, or hospitalization during a vacation leave may, at the discretion of the Trustees, be charged to sick leave rather than vacation leave. A physician's statement may be required.

11.2.3.h Termination of Employment

All unused vacation time is considered null and void upon the last day of employment with the Huntington Public Library. For employees who terminate in good standing, as defined in the relevant section of this personnel policy, unused vacation leave may be paid out to the employee at the discretion of the Trustees.

11.2.4 Sick Leave

Regular Library Employees accrue; the equivalent of one week of sick leave per year; part-time employees are prorated, up to two weeks.

If an employee is sick and cannot report for work, he/she must notify his/her supervisor as far in advance of normal working hours as possible, but no less than within one (1) hour of the normal starting time.

Upon termination of employment, compensation shall not be granted for any unused portion of sick leave. Employees eligible for leave under the Federal Family and Medical Leave Act/Vermont's Parental and Family Leave Act may, at their option, use accrued sick or vacation not to exceed six (6) weeks prorated. Use of the accrued leave will not extend the twelve-week leave eligibility period under the FMLA/PFLA. Sick leave hours are treated separately from standard weekly pay.

11.2.5 Parental and Family Leave

Eligible employees may receive leave as described in the Family and Medical Leave Act (FMLA) and the Vermont Parental and Family Leave Act (PFLA). These federal and state laws will determine employee eligibility, the qualifying reasons for such leave and the length of leave.

The Trustees reserve the right to designate any qualifying leave of absence granted under this policy as leave under FMLA or the PFLA. Where an employee's leave request is covered by the PFLA and the FMLA, the Trustees will adhere to the law that provides the most benefits to the employee. If an employee is entitled to leave under both the PFLA and FMLA, the leave periods will run concurrently.

For the purposes of determining the twelve-month period in which an employee may be entitled to PFLA and/or FMLA leave, the Trustees will use a rolling twelve-month period measured backward from the date an employee uses such leave.

11.2.6 Short Term Family Leave

In accordance with the Vermont Short Term Family Leave Law, eligible employees may be entitled to take unpaid leave not to exceed four hours in any thirty-day period and not to exceed twenty-four hours in any twelve month period for the following purposes:

- To participate in preschool or school activities directly related to the academic educational advancement of the employee's child, step-child, foster child, or ward;
- To attend or accompany the employee's child or other family member to routine medical or dental appointments;
- To accompany the employee's parent, spouse or parent-in-law to other appointments for professional services related to their care and well-being; or
- To respond to a medical emergency of the employee's family member.

The Trustees may require that leave be taken in a minimum of two-hour segments. At the option of the employee, accrued paid leave may be used. An employee shall make a reasonable attempt to schedule appointments for which leave may be taken outside of regular work hours.

11.2.7 Military Leave, and Jury Leave

11.2.7.a Military Leave

Leave for Military Duty will be granted in accordance with the Uniform Services Employment and Reemployment Act (USERRA), 38 U.S.C. §4303 et. seq. and where applicable, Vermont's Military Leave Act, 21 V.S.A. §491 et. seq., and any other applicable enacted acts, laws, or statutes, including the National Defense Authorization Act (NDAA). An employee who is a member of the National Guard, or Military Reserve Unit will be granted necessary unpaid leaves of absence for weekend duty or summer camp.

11.2.7.b Jury Duty

Should any Regular Employee be called to jury duty within any State or Federal judicial court, the Trustees shall pay to the employee the difference between the employee's actual salary and that received from the court.

11.2.8 Leave of Absence Without Pay

All requests for leaves of absence without pay for any reason other than those covered by federal or state law must be submitted in writing and shall set forth the purpose for which the leave is requested. All leave requests must be for a definite period of time and include a specified date of return. The Library Director will recommend approval or disapproval and forward the request to the Board of Trustees for its decision.

11.2.9 Personal and Bereavement Leave

Regular and Probationary Employees are entitled to three (3) days of personal /bereavement leave per year. Days may be taken at the discretion of the employee and are subject to the approval of his/her supervisor. Personal leave may be used in times of personal emergency, family crisis, or for personal business.

The following limitations apply to personal and bereavement leave days:

- (1) Employees who wish to observe religious holidays which fall on a normal work day shall use their personal leave days for that purpose.
- (2) Personal and Bereavement leave days must be taken within the year in which they are earned. Unused leave may not be carried from one year to the next. Personal and Bereavement leave days are treated separately from standard weekly pay.

11.2.10 Regular Part-Time Employees – Vacation Time and Sick Leave

Benefits for part-time employees are based on the following:

1. Each regular part-time employee must work regular hours which are permanently scheduled over the course of the entire year.
2. Newly hired regular part-time employees will receive benefits as outlined below, commencing from date of hire, subsequent to the 90-day probationary period.
3. Probationary employees do not receive any vacation benefit. If a probationary employee becomes a regular employee, then vacation time is accrued retroactive to the date-of-hire.
4. Library employees are expected to work cooperatively with their supervisor in scheduling their vacation leave by giving as much advance notice as possible of their vacation plans.

11.2.10.a Sick Leave

- a. Each regular part-time employee will accumulate prorated sick leave hours at 2.0 % of hours worked (10 hours equals 0.2 sick hours).

- b. Prorated hours of sick leave shall accumulate in 6-month increments.
- c. Each regular part-time employee and certain elected may carry a maximum of 2 weeks of unused sick leave into a new fiscal year.

11.3 Vermont Municipal Employees Retirement System

The complete terms, conditions, and qualifications for this system (VEMRS) are set forth in Title 24, Vermont Statutes Annotated, Chapter 125.

12. Pay Plan

12.1 Pay Policy

- (1) No overtime pay or compensatory time is available to those employees with full-time, salaried, exempt positions.
- (2) Salaried employees shall be paid an annual rate divided by the number of pay periods per year.
- (3) Overtime pay is only available to non-exempt employees in accordance with the provisions of the FLSA and its regulations.
- (4) An hourly employee shall be paid for the actual number of hours worked during each pay period.
- (5) All employees will be paid bi-weekly on Thursday for the previous two week's work.
- (6) All Federal, State, local or company deductions will be made on a bi-weekly basis.

12.2. Overtime

Vacation, holidays, sick, bereavement and personal hours are paid at the standard hourly rate and will not be used to calculate overtime in a given pay period.

Employees shall not work overtime unless specifically directed to do so by their supervisor. All overtime must be approved by the supervisor prior to scheduling and working overtime.

13. Employee Development

The Trustees encourage Library employees to continue their education and will consider reimbursement of the direct costs of the course or program, as the budget allows. In order to receive reimbursement for a course, four requirements must be met:

- (1) The course must be approved by the Trustees prior to enrolling, and
- (2) The course must be related to Library operation, and
- (3) A grade of "C" or better must be obtained; and
- (4) Adequate funds must be available in the Library's budget.

14. Amendments

These Policies and Procedures may be amended by action of the Huntington Public Library Board of Trustees, which encourages employees to bring suggestions for policy changes to them.

15. Savings Clause

It is also understood that it is not the intent of the Library Trustees to abridge or limit in any way any rights or privileges or in any way be inconsistent with State or Federal law. Should any aspect of these policies be held to violate a Federal or State law, all other provisions shall remain in force. Should any provision of the agreement be found to be in conflict with local law, ordinance or rule, the policy shall prevail.

Section II. Federal & State Laws, Regulations & Statutes

A. Sexual Harassment

What is “sexual harassment”?

Sexual harassment is a form of sex discrimination and means unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature when:

- (1) submission to that conduct is made either explicitly or implicitly a term or condition of employment; or
- (2) submission to or rejection of such conduct by an individual is used as a component of the basis for employment decisions affecting that individual; or
- (3) the conduct has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.

Examples of sexual harassment are listed at the end of this section

What the employer will do if it learns of possible sexual harassment?

In the event the Library Trustees receive a complaint of sexual harassment, or otherwise has reason to believe that sexual harassment is occurring, all necessary steps will be taken to ensure that the matter is promptly investigated and addressed. Investigations will take place in accordance with the provisions of Section b, below. The Board of Trustees is committed, and required by law, to take action if it learns of potential sexual harassment, even if the aggrieved employee does not wish to formally file a complaint.

Care will be taken to protect the identity of the person with the complaint and of the accused party or parties, except as may be reasonably necessary to successfully complete the investigation. For this reason, the Trustees cannot guarantee confidentiality to the complainant, the accused or any witnesses. It shall be a violation of this policy for any employee who learns of the investigation or complaint to take any retaliatory action that affects the working environment of any person involved in this investigation.

If the allegation of sexual harassment is found to be credible, the Trustees will take appropriate corrective action. The Trustee’s representative will inform the complaining person and the accused person of the results of the investigation and generally what actions will be taken to ensure that the harassment will cease and that no retaliation will occur. Individuals other than the accused are not entitled to information concerning the precise nature of the discipline imposed, if any. Any employee, who has been found by the employer to have harassed another employee will be subject to sanctions appropriate to the circumstances, ranging from a verbal warning up to and including dismissal.

If the allegation is not found to be credible, the person with the complaint and the accused person shall be so informed, with appropriate instruction provided to each, including the right of the complainant to contact any of the state or federal agencies identified in this policy notice.

What you should do if you believe you have been harassed?

Any employee who believes that she or he has been the target of sexual harassment, or who believes she or he has been subjected to retaliation for having brought or supported a complaint of harassment, is encouraged to directly inform the offending person or persons that such conduct is offensive and must stop (unless the employee does not wish to communicate directly with the alleged harasser or harassers, or if direct communication has been ineffective). In any event, the person with the complaint shall also report the situation as soon as possible to the Chair of the Library Trustees and the matter will be promptly investigated in accordance with the procedures set forth in Subsection (b), below. It is helpful to an investigation if the employee keeps a diary of events and the names of people who witnessed or were told of the harassment, if possible.

In all cases where a harassment complaint has been substantiated, the Trustees will make reasonable and appropriate follow-up inquiries with the complainant to ensure that the harassment has not resumed or that the complainant is not the subject of retaliation.

If the complainant is dissatisfied with this employer's action, or is otherwise interested in doing so, she or he may file a complaint by writing or calling any of the following state or federal agencies:

Vermont Attorney General's Office, Civil Rights Unit, 109 State Street, Montpelier, VT 05609, tel: (802) 828-3171 (voice/TDD).

Equal Employment Opportunity Commission, 1 Congress Street, Boston, MA 02114, tel: (617) 565-3200 (voice), (617) 565-3204 (TDD).

Each of these agencies can conduct impartial investigations, facilitate conciliation, and if it finds that there is probable cause or reasonable grounds to believe sexual harassment occurred, it may take the case to court. Although employees are encouraged to file their complaint of sexual harassment through this employer's complaint procedure, an employee is not required to do so before filing a charge with these agencies.

In addition, a complainant also has the right to hire a private attorney, and to pursue a private legal action in state court within 3 or 6 years, depending on the type of claims raised.

Where can I get copies of this policy?

A copy of this policy will be provided to every employee, and extra copies will be available in the files of the Huntington Public Library.

Reasonable accommodations will be provided for persons with disabilities who need assistance in filing or pursuing a complaint of harassment, upon advance request.

B. Investigations/ Violations – All Harassment Complaints

A harassment complaint will be promptly and thoroughly investigated and corrective actions taken if the charge is substantiated. If it is determined that a violation has occurred, appropriate relief for the employee(s) bringing the complaint (including but not limited to appropriate disciplinary action, up to and including discharge), against the person(s) who violated the policy will follow.

During the course of any investigation, the designated Trustee who conducts the investigation may interview named witnesses to the alleged harassment. Witnesses may also be expected to sign statements or other documents memorializing the information provided in the course of the investigation and may be asked to keep the substance of the interview confidential until such investigation is concluded. Library employees are expected to comply fully with the investigator and failure to do so may subject the employee to discipline up to and including discharge.

In all cases where a harassment complaint has been substantiated, the Trustees will make reasonable and appropriate follow-up inquiries with the complainant to ensure that the harassment has not resumed or that the complainant is not the subject of retaliation.

Reasonable accommodations will be provided for persons with disabilities who need assistance in filing or pursuing a complaint of harassment, upon advance request.

Retaliation

Retaliation is illegal and contrary to the policy of the Town of Huntington. Employees who bring complaints of discrimination (or who identify potential violations), witnesses interviewed during the investigation, and others who may have opposed discriminatory conduct are protected from retaliatory acts.

If an employee believes that he or she is being retaliated against, a report should be made following the same procedures applicable to harassment complaints as set forth in Paragraph b, above. Any Library employees who are found to be acting in a retaliatory manner may be subject to discipline up to and including discharge.

C. Family/Parental Leave (State & Federal)

In general, parental and family leave is intended to provide paid and unpaid leave for up to twelve (12) weeks for an eligible employee's serious illness as defined by State and Federal law or to allow eligible employees to tend to the birth or adoption of a child or to care for a seriously ill family member as defined by State and Federal law. Toward this end, the Trustees will observe and provide leave to eligible employees under the State's Parental & Family Leave Act ("PFLA", 21 V.S.A. §471 et. seq.) and the Federal Family Medical Leave Act (FMLA, 29 U.S.C. §2601 et. seq.).

For employees eligible for leave under the PFLA, in accordance with 21 V.S.A. §472(b), at the employee's option, the employee may use accrued sick or vacation leave or other accrued paid leave not to exceed six (6) weeks. Use of the accrued leave shall not extend the 12-week leave period. During uncompensated periods of leave as specified under the FMLA or the PFLA employees will continue to accrue all other benefits provided by the Town. During the leave, any benefits payment will be maintained. paid by the Library, shall be paid by the Library, and the cost of any benefits normally paid by the

An employee shall give written notice of his or her intent to take a parental or family leave, including the date the leave is expected to commence and the estimated duration of the leave. In the event of parental leave, notice shall be given six (6) weeks prior to the anticipated commencement of the leave. In the event of family leave, the employee shall provide certification from a physician to verify the serious illness and the amount and necessity of the leave requested. In the event an employee desires to extend a leave past the original estimated duration, written notice of that intent shall be given on the same terms as set forth above.

The Trustees shall provide notice to the employee that the leave taken is designated as FMLA/PFLA leave. This requirement shall apply at such time that the Trustees receive information sufficient to determine whether the employee is eligible for leave under the FMLA/PFLA (whether or not the employee requests such leave). The Trustees may also require a medical certification to verify the employee's condition and the amount and necessity for the leave requested.

The method for determining the twelve-month time period utilized to calculate leave entitlement shall be the twelve month period starting on the employee's anniversary date.

Upon return from leave, the employee will be offered the same or comparable job at the same level of compensation, benefits, seniority, and other terms and conditions of employment existing on the day the leave began, unless:

- (1) prior to requesting the leave, the employee had been given notice or had given notice that the employment would terminate;
- or
- (2) during the leave, the employee's job would have been terminated or the employee laid off for reasons unrelated to the leave or the condition for which the leave was granted.

If the employee does not return to employment (except in the case of serious illness of the employee), the employee shall be required to repay the value of any compensation paid to or on behalf of the employee during the leave, except payments for accrued sick leave or vacation leave.

Section III. Definitions

A. Employee Categories

1. **Regular Full-time** - A full-time employee works on a continuing basis a minimum of 40 hours per week, or as defined by the Trustees.
2. **Regular Part-time** - A regular part-time employee is an employee who works less than the normal 40-hour work week, on a regular basis.
3. **Probationary** - Any Library employee during his or her initial three (3) months (90 days) service, shall be designated a probationary employee, and entitled to benefits as provided by this Personnel Manual. The probationary period may be extended for an additional period of as much as 90 days at the approval of the Trustees.
4. **On-call** - Employees who are employed on the basis that they will be working mutually agreed upon periods of time on short notice.
5. **Salaried (also known as “exempt” employees)** - As defined by the Federal Fair Labor Standards Act, an employee who receives an annual salary, as opposed to an hourly wage, and meets one or more of the following criteria:
 - i). who manages a department and directs the work of two or more other employees;
 - ii). who works directly with management policies in non-manual work or regularly assists an executive; or
 - iii). whose work requires advanced education and consistent exercise of discretion.

Salaried employees are not eligible for overtime compensation or holiday compensation as outlined in this manual.

B. Substance Free Workplace

The Huntington Public Library is a substance-free (drug-free and alcohol-free) workplace. By definition, this includes the building and satellite locations.

The Library is dependent on the trust of its community to successfully achieve its mission. Therefore, it is crucial that all Board members and employees conduct business on behalf of the Huntington Public Library with the highest level of integrity and complying with the Law of Public Libraries.

Employees of the Huntington Public Library shall comport themselves in a manner as outlined in the two documents adopted by the Huntington Public Library Board of Trustees on June 28, 2013:

1. Huntington Public Library Code of Ethics of the American Library Association
2. Guiding Principles of the Huntington Public Library Board of Trustees and Library Employee Ethics Policy

C. Sexual Harassment

Examples of Sexual Harassment include, but are not limited to, the following, when such acts or behavior come within one of the definitions:

- either explicitly or implicitly conditioning any term of employment (e.g., continued employment, wages, evaluation, advancement, assigned duties or shifts, etc.) on the provision of sexual favors;
- touching or grabbing a sexual part of an employee's body;
- touching or grabbing any part of an employee's body after that person has indicated, or it is known, that such physical contact was unwelcome;
- continuing to ask an employee to socialize on or off-duty when that person has indicated she/he is not interested;
- displaying or transmitting sexually suggestive pictures, objects, cartoons, or posters;
- writing sexually suggestive notes or letters;
- referring to or calling a person a sexualized name;
- regularly telling sexual jokes or using sexually vulgar or explicit language;
- retaliation of any kind for having filed or supported a complaint of sexual harassment (e.g., ostracizing the person, pressuring the person to drop or not support the complaint, adversely altering that person's duties or work environment, etc.);
- derogatory or provoking remarks about or relating to an employee's sex;
- harassing acts or behavior directed against a person on the basis of his or her sex.

END OF DOCUMENT